IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 2382 of 1993

With
R/FIRST APPEAL NO. 2381 of 1999
With
R/FIRST APPEAL NO. 2383 of 1999

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ORIENTAL INSURANCE CO LTD
Versus
RAJESH IRON AND STEEL SHIP BREAKERS & 3 other(s)

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Appearance:
MR VIBHUTI NANAVATI(513) for the Appellant(s) No. 1
MR PC MASTER(446) for the Defendant(s) No. 2,3,4
MR KETAN A DAVE(255) for the Defendant(s) No. 3,4
NOTICE SERVED(4) for the Defendant(s) No. 1

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CORAM: **HONOURABLE MR.JUSTICE R.P.DHOLARIA**

Date : 16/12/2019

ORAL ORDER

ORDER IN R/FIRST APPEAL NO. 2382 of 1993

List on 21.01.2020.

ORDER IN R/FIRST APPEAL NOS. 2381 & 283 of 1999

[1] The aforementioned appeals have been preferred by the Oriental Insurance Company Ltd. as regards quantum of award which came to be passed in different matter, inter alia, questioning the amount awarded under different heads in the sum of Rs.2,50,000/- and 1,50,000/- to the claimants.

[2] Heard learned advocates for the respective parties.

[3] This Court has taken through the record and proceedings of the case as well as submissions made by learned advocate Mr.Vibhuti Nanavati so far as the calculation made for award of quantum of compensation is concerned. Indisputably in

both the cases, the claim is awarded to the heirs/representatives of the deceased in both the claim petitions and awarded Rs.2,50,000/- and 1,50,000/- which is clearly falling within the parameter prescribed in the decision of the Hon'ble Apex Court in the case of ***National Insurance Company Vs. Pranay Shethi & reported in (2017) 3 GLH 536.***

[4] Mr. Nanavati could not point that the award is in any manner, excessive within the parameters prescribed in the aforesaid decision. Therefore appeals are devoid of any merit and deserves dismissal. Accordingly, both the appeals stand dismissed.

[5] It is clarified that this order and judgment would not come in the way as well as affect the pending appeal i.e. First Appeal No.2382 of 1993.

(R.P.DHOLARIA, J)

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